

TOK COMMUNITY UMBRELLA CORPORATION
An Alaska Nonprofit Corporation
RESOLUTION OF THE BOARD OF DIRECTORS 03-01

THE BOARD OF DIRECTORS of the Tok Community Umbrella Corporation, held a board meeting on February 13, 2003 at 7:30 P.M. in Tok, Alaska.

Whereas: This Corporation is organized exclusively for the promotion of social welfare as described in the Internal Code of 1954. The corporation will operate primarily to further the common good and general welfare of all the people of the community of Tok.

A RESOLUTION of the Board of Directors of the Tok Community Umbrella Corporation regarding Local Boundary Commission Report due to Legislature February 19, 2003 on conditions in the unorganized borough, for the areas it has identified that meet the standards for incorporation. HCS CSSB 359, Chapter 53 SLA2002.

Whereas: the founding fathers of the Alaska Constitution did not for see Alaska Native Claims Settlement Act nor Alaska National Interest Lands Conservation Act when they addressed organization of boroughs and cities for land entitlement.

Whereas: borough incorporation standards does not address issues relating lands included in the Alaska Native Claims Settlement Act nor Alaska National Interest Lands Conservation Act (ANILCA) to incorporation boroughs in regard to land entitlement.

Whereas: A major portion of Tok's school district is native and support native community schools.

Whereas: A consent decree in Tobeluk vs Lind and Hootch vs Alaska State -Operated School System, Required the State to build and operate primary and secondary schools in rural villages.

Whereas: the local boundary commission report does not address AS 29.05.031-Incorporation of a borough.

(3) how: the economy of the area includes the human and financial resources capable of providing municipal services; evaluation of an area's economy includes land use, property values, total economic base, total personal income, resource and commercial development, anticipated functions, expenses, and income of the proposed borough or unified municipality;

Whereas: the local boundary commission report does not address 3AAC110.045-Community of interest

- (1) how- compatibility of urban and rural areas within the proposed borough
- (2) compatibility of economic lifestyles, and economic lifestyles, and industrial or commercial activities, of all communities in the borough.

Whereas: the local boundary commission report does not address 3AAC 110.050-Population-

- (2) Duration of residency;
- (4) Seasonal population changes
- (5) Age distributions.

Whereas: the local boundary commission report does not address 3AAC110.055- Resources item

- (B) the reasonably anticipated expenses of the purposed borough.
- (D) The feasibility and plansibility of the anticipated operating and capital budgets through the third full fiscal year of operation:
- (E) the economic bases of the proposed borough;
- (G) land use for proposed borough;
- (H) existing and reasonably anticipated industrial, commercial, and resource development for the proposed borough; and (2) may consider other relevant factors including

- (A) the need for and availability of employable skilled and unskilled persons to serve the proposed borough;
- (B) and interest of the population in sustaining a borough government.

Whereas: the local boundary commission report does not address 3AAC 110.60- Boundaries item (A)
(2) ethnicity and cultures;
(3) population and density patterns;
(5) natural geographical features and environmental factors.

Whereas: the local boundary commission report does not address: AAC110.065-Best Interest of the State
(3) will relieve the State government of the RESPONSIBILITY of providing local services;

Whereas: the local boundary commission report does not address: 3AAC 110.900- Transition- a practical plan for the transfer and integration of all relevant and appropriate assets and liabilities of an existing borough, city, unorganized borough service area, and other entity located in the territory proposed for the change. The plan must be prepared in consultation with the officials of each existing borough, city and unorganized service area.

Whereas: the local boundary commission report does not address: 3AAC 100.980-Determination of the best interest of the State: (2)

- (A) the balanced interest of citizens in the area proposed for change;
- (B) affected local governments;

THEREFORE LET IT BE RESOLVED:

Whereas: the requested local boundary commission report does not comply with borough incorporation standards provided in the Constitution of the State of Alaska, Alaska Statutes, and the Alaska Administrative Code.

Whereas: The standards for borough/municipal incorporation needs to be updated to address today's issues of safe guarding/development of native lands entitlements and release of federal lands to local governments.

Whereas: Land entitlements that would go the borough would severely effect the already restricted land entitlements, when Tok would want to incorporate as a city in the future.

Whereas: Closure and restrictions of public lands in the area has and will undercut any future economical development in the area to support a borough or future municipality of Tok.

Whereas: The State of Alaska entered into an agreement to build and support native schools, which are a major segment of our school district area.

Whereas: The Tok Community Board of Directors believe it is not in the best interest of the Tok community to be included in the Upper Tanana Basin Borough with out complete compliance to the standards and the future development of Tok with the surrounding areas,

Dated this 13TH Day of February 2002, Tok, Alaska.


Debra A Muir, President

IN WITNESS WHEREOF, I have hereto subscribed my name


LuV Smith, Vice President